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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,102	08/17/2006	Takeshi Yamamoto	70404.108/ha	1042

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EXAMINER
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SPAR, ILANA L

ART UNIT	PAPER NUMBER
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2629

NOTIFICATION DATE	DELIVERY MODE
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01/13/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 10/598,102	<b>Applicant(s)</b> YAMAMOTO ET AL.	
	<b>Examiner</b> ILANA SPAR	<b>Art Unit</b> 2629	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 31 December 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b) ☐ They raise the issue of new matter (see NOTE below);  
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 6. ☒ Newly proposed or amended claim(s) 2 and 4 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
 The status of the claim(s) is (or will be) as follows:  
 Claim(s) allowed: 2 and 4.  
 Claim(s) objected to: \_\_\_\_\_.  
 Claim(s) rejected: 5-7.  
 Claim(s) withdrawn from consideration: 1,3 and 8-13.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.  
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
 13. ☐ Other: \_\_\_\_\_.

/Bipin Shalwala/  
 Supervisory Patent Examiner, Art Unit 2629

Continuation of 11.

The arguments do NOT place the application in condition for allowance because: The arguments put forth by the applicant are not persuasive, as further explained below.

With reference to claim 2, Examiner agrees with applicant's argument that Sawayama et al. fails to teach first and second display areas lit with separate backlights on a single transmissive display, and no other art can be found that teaches this limitation. As such, claims 2 and 4 are allowed.

With reference to claim 5, applicant argues that Ogino fails to teach the first and second luminance level output sections outputting the luminance levels according to the images to be displayed. Examiner disagrees, citing paragraphs 33-34, in which Ogino teaches that during motion of the vehicle, only the non-essential images for the driver are made non-visible, such that while driving, the driver can see the navigation image but not the DVD image. When the entire screen is used for the navigation image, as seen in Figure 7, there is no need to adjust the luminance such that the driver cannot see that side of the display. Therefore, the luminance on each side of the display is controlled according to the image to be displayed, and its relevance to the driver while the car is in motion. Additionally, claim 5 does not teach the limitation found in claim 1, that the two display areas are a part of a single display. Therefore, this claim could additionally be rejected with easily found art teaching two separate display areas under entirely separate controls, such as the Sawayama reference previously mentioned.

With reference to claim 6, applicant argues that Prince et al. fails to teach correcting for pixel values because pixel values are supplied by video signals to the column driver, and not through the voltage sources 70P and 70N. However, Examiner believes that the pixel values are the values of the voltages applied at each pixel, and not the pixel data values which are supplied to the column driver (see Prince, column 5, lines 38-40). Therefore, the voltages applied to the row and column electrodes together form the pixel values, and by adjusting the voltages applied to the row electrodes through the correction circuit as taught by Prince, the pixel values have been corrected.